

December 1, 1999

MAINE PUBLIC UTILITIES COMMISSION
Investigation into Area Code Relief

PROCEDURAL ORDER

I. Summary

This Procedural Order:

1. Confirms the scheduling of a Cost Recovery Workshop at the Commission's offices on **Friday, December 17, 1999 at 9:00 a.m.** and requires all code holders to attend the workshop or inform the Hearing Examiner in writing by **December 13, 1999** that they will not be attending;
2. Requires all code holders to obtain a copy of the contract relating to establishing pooling in the 207 NPA and file any comments on the contract by **December 13, 1999**;
3. Requests further comment on several cost recovery issues by **December 15, 1999**;
4. Confirms the scheduling of a Meeting of Wireless Carriers and Bell Atlantic at the Commission's offices on **Friday, December 17, 1999 at 1:30 p.m.**;
5. Requests further comments on several wireless number conservation issues by **December 15, 1999**;
6. Confirms the pooling implementation schedule that established at the November 18, 1999 Technical Conference/Thousand Block Pooling Implementation Meeting; and
7. Schedules a hearing on Bell Atlantic's Motion to Defer Commencement Date for Pooling Trial at the Commission's offices on **Friday, December 10, 1999, at 10:00 a.m.**

II. Introduction

On November 18, 1999, a Technical Conference/Thousand Block Pooling Implementation Meeting was held at the Commission. The meeting was jointly run by the Hearing Examiner and Barry Bishop from NeuStar, Inc. (formerly Lockheed Martin

CIS). A copy of the notes prepared by NeuStar relating to the meeting are attached.¹ Several important issues were addressed at the meeting which affect all code holders, including both wireless carriers and the independent telephone companies. In addition, since the time of the meeting, Bell Atlantic has requested reconsideration of the start date for pooling.

III. Cost Recovery Workshop

At the meeting, the Hearing Examiner expressed the Commission's preference that all code holders initially pay an equal share of the costs associated with setting up thousand block pooling in Maine. The costs will most likely be recoverable costs and thus code holders will eventually be compensated for their initial expenditure. The Hearing Examiner noted that all carriers benefit from the establishment of thousand block pooling in an NPA, even non-LNP capable carriers who will not participate in the pool. Indeed, the implementation of pooling will prolong the life of the 207 NPA and allow non-LNP capable carriers to continue to acquire full NXX codes to meet their numbering needs without being subject NXX lotteries.

The specific costs associated with setting up pooling in Maine will be governed by a contract between NeuStar and the individual code holders (and possibly the North American Portability Management LLC (NAPM)²). The Commission will not be a party to the contract. The Commission's November 4th Order in this docket directed all code holders to obtain a copy of the draft contract associated with the pooling administration costs from NeuStar. Many code holders have not complied with this Order and thus are unaware of the specific costs involved. All code holders are once again directed to obtain a copy of the contract from NeuStar by contacting Greg Roberts at 202-533-2690 or greg.roberts@npac.com.

At the meeting, several parties questioned whether it might be more equitable to divide the costs according to the number of NXXs or access lines a specific carrier has in the 207 NPA. The issue was not definitely resolved. Instead, it was decided that issues relating to the contract, which are directly related to the cost recovery mechanism which will be developed, would be finalized at the cost recovery workshop on **December 17th at 9:00 a.m.** at the Commission. Thus, all code holders are directed to participate in the technical conference (either directly or through a representative).

¹NeuStar has already distributed these notes to those parties who participated in the Implementation Meeting.

²NAPM is a limited liability corporation which manages number portability contracting issues on behalf of the Industry. It will be the NAPM which will be responsible for contracting with NeuStar for the availability of the Release 1.4 software needed to perform pooling. The NAPM may also agree to contract with NeuStar on behalf of the Industry in Maine for the costs of setting up pooling in Maine. If this occurs, each code holder will be required to sign a joinder to the NeuStar/NAPM contract and pay its share the costs directly to NeuStar.

Any code holder that does not plan to attend the workshop, must inform the Hearing Examiner in writing no later than **December 13, 1999**, and will be bound by any agreements reached at the meeting. Parties are invited to submit comments regarding the contract with NeuStar no later than **December 13, 1999**.

The cost recovery workshop will focus on developing a mechanism for the recovery of costs associated with the implementation of pooling. Several parties have already provided general comments on cost recovery issues in response to the Hearing Examiner's Report. Additional comment is requested on the following issues and/or questions:

1. Please describe each of the Industry costs you anticipate will be incurred to implement pooling in the 207 NPA by June 1, 1999.
2. Any party claiming that carrier-specific costs are recoverable should describe each of the costs that will be incurred to implement pooling in the 207 NPA by June 1, 1999. Any party that expects to object to the recovery of carrier-specific costs should explain why such costs should not be recovered.
3. With regard to recovery of Industry costs, what specific method or formula should be used? Should the Commission adopt an end-user telecommunications instate revenues standard similar to that used by the FCC to recovery number portability costs?
4. What procedures should the Commission use to review proposed recoverable costs?

IV. Meeting With Wireless Carriers

A meeting of all wireless carriers and Bell Atlantic, and any other interested parties, will be held on **December 17th at 1:30 p.m.** at the Commission. All wireless carriers are directed to attend and to confirm their attendance by contacting the Hearing Examiner (either by phone or letter) by **December 8, 1999**. The Commission received initial comments from several parties regarding ways in which wireless carriers can conserve numbering resources. Additional comment is requested on the following issues and/or questions:

1. The reasons why (or why not) separate NXXs are needed to provide pre-paid wireless services.
2. Describe specific extended local calling areas or wireless regional rate centers arrangements that could be used in Maine and any anticipated revenue impacts on both wireless carriers and ILECs.

V. Pooling Schedule

At the meeting, the following schedule was agreed upon for the implementation of pooling in Maine:

November 4, 1999 - February 2, 2000	Block Protection
April 1, 2000	Block Forecast Report
April 27, 2000	Block Donation Identification
April 27, 2000 – May 18, 2000	Pooling Administrator Assessment of Industry Inventory
May 25, 2000	Uncontaminated Block Donation
June 1, 2000	Pool Start Date
October 31, 2000	Contaminated Block Donation

On November 30, 1999, Bell Atlantic filed a Motion requesting that the Commission reconsider its decision and delay the implementation of pooling until October 2000. The Commission will hold a hearing on that Motion on **December 10, 1999 at 10:00 a.m.** Bell Atlantic will be expected to present witnesses competent to testify about the specific additional costs Bell claims will be incurred to pool by June 1, 2000 rather than waiting until October 2000. Bell Atlantic must provide the Commission and the other parties with a written description of the costs, either in the form of pre-filed testimony, affidavit, or pleading, **no later than close of business Monday, December 6, 1999.** (Bell should transmit the filing either through facsimile or electronic mail to all parties as well as to the Hearing Examiner.) Any party that wishes to cross-examine the Bell witnesses or provide testimony on this limited topic should notify the Hearing Examiner and the other parties as soon as possible and no later than **December 8, 1999.** (Any such party must transmit the notice either through facsimile or electronic mail.) A specific schedule for the hearing will be issued if necessary.

Dated at Augusta, Maine this 1st day of December 1999.

BY ORDER OF THE HEARING EXAMINER

Trina M. Bragdon